

REMARKS

The amendments and remarks presented herein are generally consistent with those noted in the recent telephone call from Applicant's representative to the Examiner. Accordingly entry of this amendment and reconsideration of the pending claims is respectfully requested.

The Office Action, mailed October 30, 2007, considered and rejected claims 4, 7-9, 15, 18, 19 and 21-23. In particular, each of the pending claims was rejected under 35 U.S.C. § 102(e) as being anticipated by *Thornton* (U.S. Publ. No. 2004/0225794).¹

By this paper, claims 4, 7, 8, 15, 18 and 21-23 have been amended, claims 23 and 24 added, and no claims cancelled.² Accordingly, following entry of this amendment, claims 1-5, 7-18, 21-28 and 30-38 are pending, of which claims 1, 10, 17, 21, 25 and 37 are the only independent claims at issue. Accordingly, following this paper, claims 4, 7-9, 15, 18, 19 and 21-25 are pending, of which claims 21, 22 and 23 are the only independent claims at issue.

As presented herein applicants have claimed a method, a corresponding computer program product, and a modular software interface system adapted for use in a digital computing system that includes a main control program exemplified by any of a game code module, an application program, a simulation or an operating system, and wherein the main control program communicates with one or more functional user interface (UI) modules for data processing of a type which does not require human sensory interaction with a user of the computing system. The claimed invention provides for enabling change to any of the human sensory interactions such as visual data display, audio output or video display, without having to change the functional UI modules or main control program.

As claimed, the invention provides a common communication scheme for use between various types of UI modules, including functional UI software modules and one or more UI plug-in software modules for implementing UI features that determine how to provide human sensory interaction through mechanisms such as visual display, video display, or audio display or any combination of the foregoing. A user interface (UI) engine having an engine interface is networked with a main control program running on the computing system so as to provide

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the claim amendments and new claims can be found throughout Applicant's original application, including at least the disclosure on pages 1, 3, 4, 13-19 and 21 of the originally filed application, and in the originally filed claims and figures.

communication of commands between the main control program and the UI engine. In turn, the UI engine and the main control program and/or other network components are networked to one or more functional UI software modules for implementing UI features using functions that do not directly identify how to provide human sensory interaction with a user. The UI engine is networked to one or more UI plug-in software modules for implementing UI features that receive input from the functional UI software modules and determine how to provide human sensory interaction through mechanisms such as visual display, video display, or audio display or any combination of the foregoing. In this manner, the determination of how to provide human sensory interaction is determined by the UI plug-in software modules and not by the main control program and/or the one or more functional UI software modules. Further, the one or more functional UI software modules communicate with the UI engine using the common UI communication scheme and thereby providing to one or more functional UI software modules or to the main control program human sensory interaction as required by either the one or more functional UI software modules or the main control program. Additionally, the claimed invention includes changing, adding or deleting one or more of the UI plug-in software modules so as to change the human sensory interaction of one or more functional UI software modules or the main control program, the one or more functional UI software modules and main control program remain unchanged.

As noted above, in the Office Action, the claims were rejected under 35 U.S.C. § 102(e) as being anticipated by *Thornton*. As noted in the recent telephone call, *Thornton* describes a computer system that has removable function modules so that add modular functionality to the computer. The function modules are in the form of a removable card which is inserted into a computer cage and connected thereto via a cage connector. (¶ 91). The function module further includes network cable ports and human interface cable ports that allow the removable function module to interface with one or more networks and/or human interfaces. (*Id.*).

Additionally, the computers described in *Thornton* are described as removable and are themselves also formed on a card. (¶¶ 69, 79). Such a card generally includes a power supply, hard disc, and circuit board. (¶¶ 69, 71, 74; Fig. 3). Logic to enable the computer card to interact with the human interfaces can then be imprinted on the circuit board to, for example, provide a video signal. (¶ 75).

As noted in the telephone call, *Thornton* is quite different from Applicants' claimed method, computer program product and modular software interface system. For example, nothing in *Thornton* addresses the problem solved by Applicants' claimed invention, e.g., enabling user and/or developers to change the human sensory aspects of a user interface (such as displaying data in a particular manner, with specific borders, graphics, etc.) without having to change the associated functional aspects, and without requiring the main control program or functional modules to specify how to display the data. Indeed, *Thornton* is entirely based on providing removable hardware that allows a program administrator to control the functions of a computer, but without any software control of any type, let alone interchangeable software modules that cause human sensory interactions, and the manner in which they are implemented, by separating the sensory aspects from the main control program and functional modules. Thus, there is nothing in the prior art of record which teaches or suggests the claimed method in which, among other things, the determination of how to provide human sensory interaction is determined by one or more UI plug-in software modules, and not by a main control program or functional UI software modules. Indeed, it appears that the prior art of record would merely operate to allow a main program (e.g., game, operating system application, etc.), or functional modules thereof, to dictate how to display or present data in a sensory fashion, whereas such determinations are, in the listed claims, isolated from the main program and functional modules.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required explicit statement as to the reason one of ordinary skill in the art would have, at the time of Applicant's invention, modified the art of record in the manner officially noticed.

In the event the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney by telephone at (801) 533-9800.

Dated this 28th day of December, 2007.

Respectfully submitted,

/Colby C. Nuttall, Reg. # 58,146/
Colby C. Nuttall

RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
COLBY C. NUTTALL
Registration No. 58,146
Attorneys for Applicant
Customer No. 047973

RDN:JCJ:CCN:gd
GD0000002345V001